

In The United States District Court
For the Middle District of Tennessee
at Nashville

ORDER: Motion granted
without opposition.

E. Clifton Knowles

U.S. Magistrate Judge

Johnny L. McGowan, Jr.

Plaintiff.

RECEIVED
IN CLERK'S OFFICE

CASE No. # 3:14-CV-00578

V.

MAY 13 2014

JUDGE: TRAUGER

Dr. D. Osborne, et al.,

Defendants

U.S. DISTRICT COURT
MID. DIST. TENN.

Plaintiffs' Motion for Leave to Amend the
Complaint Relative to Darrell Thomas

Comes now, Your Plaintiff Johnny L. McGowan, Jr. acting pro se and pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, hereby respectfully moves this Honorable Court for leave to amend the complaint relative to Defendant Darrell Thomas at section (26) page (21).

It should read as follows:

26) Lt. Darrell Thomas of the Middle Transportation Department of (TDOC) Tennessee Department of Correction acted repeatedly with 'Deliberate Indifference' towards the Plaintiff's injuries, health, and safety by placing the Plaintiff on the Prison transportation bus (with unpadded seats), repeatedly "after" being told of Plaintiff's serious medical situation by the Plaintiff personally during the month of April (2013), and then again by his own staff at a later date.

Although defendant Thomas had the power and authority to direct the Plaintiff be transported on a van with the padded seats. While acting under the color of law, this defendant chose to cause the Plaintiff 'unnecessary and wanton' infliction of pain in direct violation of the (8th) Eighth Amendment of the United States Constitution and Laws. Estelle v. Gamble, 429 U.S. 97, 104, 97 S.Ct. 285 (1976).